

**MINUTES OF A SPECIAL MEETING
OF GREENVILLE BOROUGH COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON THURSDAY, JANUARY 24, 2008 at 11:00 a.m.**

1. Call to Order Council President Longiotti called the meeting to order at 11:00 a.m.

2. Flag Salute:

3. Roll Call: Pete Longiotti, Council President
Pamela Auchter, Vice President
David Henderson, Councilor
Henry Mueller, Councilor
Alfred Peden, Councilor
Brian Shipley, Councilor
Jasson Urey, Councilor

Landis Erwin, Jr. Councilor - **absent**
James Ingley, Jr. Councilor – **absent**

Richard H. Miller, Mayor

Also present were Ryan T. Eggleston, Borough Manager and Jim Douglas, Solicitor

4. Public Comments/Public Participation

John McDonald again asked about the fund balance account and asked each councilor to explain how they individually contributed to the accumulated \$1.1 million fund balance.

Council President Longiotti stated the public comments were to be limited to the item on the agenda.

Resident Joy Peterson expressed her concern on the tax rates and if they were based on a good budget. She does not feel secure about the budget.

5. New Business

a. Discuss and act on Ordinance 1476 - EIT

President Longiotti explained the first and final reading of this ordinance was done at the regular meeting of January 8, 2008 and adopted by a vote of 4-3. Mayor Miller sent the Borough Manager and members of council a veto message on January 16, 2008 and are now required to discuss and act on the veto. A copy of the veto message was distributed to the councilors and will be part of the minutes. President Longiotti asked the Mayor if he wished to read his message, he declined.

Councilor Henderson said the ordinance had been advertised and approving it before the court hearing will save on re-advertising costs if the court rules in the borough's favor. If council does not override the Mayor's veto, and the court rules in the borough's favor, there will be a delay in the adoption of the ordinance to set the EIT rates. Mr. Henderson stated if the court does not rule in the borough's favor, a new ordinance will need drafted and advertised again anyway.

Councilor Henderson moved, seconded by Councilor Auchter to override the Mayor veto of Ordinance 1476.

Councilor Shipley asked to address the motion. Mr. Shipley wanted to reiterate his comments from the last council meeting requesting the budget be re-opened. He believes the council's decision to not re-open the budget per his and Mr. Peden's request was a mistake and he believes seeking the courts approval to impose this tax, without having first looked at the budget and as the public has indicated, desire to re-open the budget, is not right and he will be voting to sustain the veto.

Councilor Mueller made a statement, particularly directing his comments to Councilor Shipley, that it has been two weeks/10 days since the ordinance was passed than subsequently vetoed. He believes there has been plenty of time since the budget was adopted in November for Mr. Shipley, Mr. Peden and the general public to read over the budget and come back with questions or concerns. He said it may have been a reasonable argument a few weeks ago but he does not feel it is a reasonable argument now. He does not think Mr. Shipley's complaint has any substance.

Councilor Henderson called for the vote. A motion was on the floor to override the Mayor's veto of Ordinance 1476 – Earned Income Tax. A roll call vote was taken.

Councilor Auchter	Yes
Councilor Henderson	Yes
Councilor Mueller	Yes
Councilor Peden	No
Councilor Shipley	No
Councilor Urey	Yes
Council President Longiotti	Yes

Motion approved 5-2

6. Adjournment

Councilor Urey made a motion to adjourn the meeting. Mayor Miller announced he would stay and answer questions of anyone interested.

7. **Press time**

Respectfully submitted,

Ryan T. Eggleston
Borough Secretary
Borough of Greenville
vdh